

**TOWN OF ELSMERE
COUNCIL MEETING MINUTES
OCTOBER 9, 2014
TOWN HALL
6:30 p.m.**

CALL TO ORDER: Mayor Steven Burg called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

MAYOR	STEVEN BURG	PRESENT
1 ST DISTRICT	JOHN JAREMCHUK, JR.	PRESENT
2 ND DISTRICT	PATRICIA FRANTZ	PRESENT
3 RD DISTRICT	ROBERT KACPERSKI	PRESENT
4 TH DISTRICT	CHARLES MCKEWEN	PRESENT
5 TH DISTRICT	JOANN I. PERSONTI	PRESENT
6 TH DISTRICT	DEBORAH A. NORKAVAGE	PRESENT

Town Solicitor, Edward McNally – Present

Town Manager, John Giles – Present

Chief of Police, Laura Giles – Present

APPROVAL OF MINUTES:

Minutes of the September 11, 2014 meeting of the Mayor and Council

ACTION: A motion was made by Councilwoman Norkavage to approve the minutes of the September 11, 2014 Council Meeting. The motion was seconded by Councilman Jaremchuk.

VOTE: 6-0 with 1 Abstained Motion carried

1st District – Yes, 2nd District – Yes, 3rd District – Yes, 4th District – Yes,
5th District – Abstained, 6th District – Yes, Mayor – Yes

Councilwoman Personi stated that she was abstaining because she was not present for the meeting.

PUBLIC COMMENT:

Mr. Joel Camacho, High Tech Auto Body, 107 Baltimore Ave, spoke regarding on street parking on Baltimore Avenue.

Chief Laura Giles stated that there was a meeting with all of the business owners along Baltimore Avenue regarding the current no parking zones between 8 am – 6 pm.

Mr. Camacho had asked if the Town of Elsmere would allow parking during those hours only to accommodate employee parking.

At this time there was a lengthy discussion regarding the parking along Baltimore Avenue.

ACTION: A motion was made by Councilman Jaremchuk to amend Resolution 14-03 to allow parking between the hours of 8:00am – 6:00pm between the two telephone poles on Baltimore Avenue along the straight away and Chief Laura Giles will give the correct measurements to the Town Manager. The motion was seconded by Councilman Kacperski.

VOTE: 4-3 Motion carried

1st District – Yes, 2nd District – Yes, 3rd District – Yes, 4th District – Yes,
5th District – No, 6th District – No, Mayor – No

Mrs. Sharon Burg, 108 Northern Avenue, spoke concerning the Dog Park. She asked that Chief Laura Giles commend Sgt. Steve Smith, she stated that he is the only police officer that she sees opening and closing the gates to the Dog Park. She stated that the gates are left open and unlocked. She suggested that there are a few residents that would be willing to lock and unlock the gates at the park.

ACTION: A motion was made by Councilman Jaremchuk to allow a small group of citizens appointed by Sharon Burg to lock and unlock the park. The motion was seconded by Councilwoman Frantz.

Town Manager John Giles stated his concern with who he is to give the combination to in order to have the gates at the park unlocked.

Councilwoman Personti suggested that Sharon Burg be the point person who will be in charge of the group of specific residents that will be locking and unlocking the Dog Park gates.

Mr. Chris Farney, 500 Baltimore Avenue, stated he would like to make a suggestion regarding the Dog Park. He would like to know if it was possible to have the residents assist in locking and unlocking when the Elsmere Police are unavailable to do so.

Chief Laura Giles stated she would like to have the Officers either be completely responsible or not at all.

Councilwoman Frantz stated she would like to have Sharon Burg meet with Town Manager John Giles to inform him of the list of residents that will be performing the duties of locking and unlocking the Dog Park.

VOTE: 6-1 Motion carried

1st District – Yes, 2nd District – Yes, 3rd District – Yes, 4th District – Yes,
5th District – Yes, 6th District – Yes, Mayor – No

Consideration of the approval of a proclamation designating the month of November 2014 as Pancreatic Cancer Awareness Month in the Town of Elsmere.

ACTION: A motion was made by Mayor Burg to proclaim the month of November 2014 as Pancreatic Cancer Awareness Month in the Town of Elsmere. The motion was seconded by Councilwoman Frantz.

VOTE: 7-0 All-in-favor Motion carried

PRESENTATION:

Mr. Dave Gula, Principal Planner, gave a presentation on behalf of “Wilmapco” regarding their Regional Area Transportation Planning Update.

OLD BUSINESS:

Consideration for Third and Final reading as well as a Public Hearing of Ordinance 585.

ACTION: A motion was made by Mayor Burg to consider Ordinance 585 for Third and Final Reading. The motion was seconded by Councilman Jaremchuk.

VOTE: 7-0 All-in-favor Motion carried

Discussion and possible action concerning the Request of Proposals which were requested concerning banking services.

Councilwoman Norkavage had a series of questions that she asked Finance Director Joseph Schulcz concerning the proposed banking institutions

Finance Director Joseph Schulcz was unable to immediately answer some of the questions.

Councilman Jaremchuk stated that this should be deferred to next month; since some of the questions could not be answered and went on to say that any questions need to be given in advance so they can be answered.

Town Manager John Giles stated that the information had been sent out two weeks prior to the meeting so that members of the Council could submit their list of questions. He suggested that representative from both M&T and WSFS Banking Institutions be invited to the next Council meeting so all questions can be answered.

NEW BUSINESS:

Consideration for First and Second Reading of Ordinance 586.

ACTION: A motion was made by Councilman McKewen to consider Ordinance 586 for First and Second Reading. The motion was seconded by Councilwoman Personti.

VOTE: 6-1 Motion carried

1st District – No, 2nd District – Yes, 3rd District – Yes, 4th District – Yes,
5th District – Yes, 6th District – Yes, Mayor – Yes

Consideration of renaming Village Park:

The Mayor and Council considered a request by 6th District Councilwoman Norkavage to rename Village Park in order to honor a resident who has meant so much to the Town of Elsmere.

ACTION: A motion was made by Councilwoman Norkavage to rename Village Park to Richard B. Moore Park. The motion was seconded by Mayor Burg.

VOTE: 7-0 All-in-favor Motion carried

Update from the Town Manager concerning the following issues.

1. The pedestrian path to be located in Fairgrounds Park.

Town Manager John Giles stated that the funding for the Pedestrian Path is now secured. He stated that the checks are in the process of being written from County Executive Gordon in the amount of \$24,000.00, Councilman Reda \$2,500.00 and from Delaware Land and Water Conservation Trust Fund for \$27,695.00. The Town will have a commitment of \$1,195.00. He stated the total amount of the project is \$763,940.00 and remains on target.

ACTION: A motion was made by Councilwoman Frantz to approve the amount of \$1,195.00 payment for the Town's portion of the Pedestrian Path. The motion was seconded by Councilwoman Norkavage.

VOTE: 7-0 All-in-Favor Motion carried

2. The Salt Storage Structure at the Public Works Department.

Town Manager John Giles discussed problems and concerns with the existing salt storage bin in the Public Works Yard and the need to replace it. He stated that he had a proposal from Paoli Services to build a salt storage structure in the second yard located adjacent to the Public Works Yard which would hold 125 tons of salt. The cost of this structure would be for \$22,450.00.

He stated that he also had proposals from Mid Atlantic Container for 40 yard roll off type containers. The metal container had a cost of \$14,680.00 and had a life expectancy of 4 to 5 years. There was also a proposal for a Poly Container with a cost of \$25,830.00 and a life expectancy of 15 to 20 years. He went on to say that the cost associated with the two roll off dumpsters did not include the cost to level the ground where units are placed, build the ramps that will be needed to allow the tractors access or the containment area around the units.

He asked the Mayor and Council approve one of these options without the need for a formal bid process which is normally required for purchases exceeding \$10,000.00. He stated that it was proper to do so because the authorization was an emergency and in the best interest of the Town in order to ensure its preparedness for the upcoming winter season.

At this point there was discussion regarding the requirements for a bid process for the proposed salt storage structure.

Mayor Burg asked Town Manager John Giles to talk with Paoli Services to determine what the cost would be to increase the storage capacity of the structure from 125 tons to 150 tons.

ACTION: A motion was made by Mayor Burg to grant permission to move forward with Paoli Services to build a salt storage bin at the Public Works yard capable of holding 150 tons of salt without the need for a formal bid process. The motion was seconded by Councilman Kacperski.

ACTION: Prior to a vote, the motion was amended by Mayor Burg to include that the structure was not to exceed the amount of \$35,000.00. The amendment to the motion was seconded by Councilman Kacperski.

VOTE: 7-0 All-in-Favor Motion carried

Mayor Burg requested a 5 min recess at 8:38 p.m.

Town Solicitor requested to be excused from the meeting at 8:38 p.m.

Returned from recess at 8:44 p.m.

3. The impact of Microsoft's notice that they will stop supporting Windows Server 2003 effective June 30, 2015.

Town Manager John Giles stated that he is not prepared to discuss this issue in detail; however he stated he would like to make Mayor and Council aware of the potential cost to upgrade to a supported Windows server which could result in a cost as high as \$35,000.00.

DEPARTMENTAL REPORTS:

Code Enforcement

Town Manager John Giles presented the written report.

Finance

Town Manager John Giles presented the written report.

Public Safety

Chief Laura Giles presented her written report. In addition to the written report Chief Laura Giles made Mayor and Council aware of the following:

1. The Department applied for a grant for underage drinking through D.A.T.E (Delaware Alcohol Tobacco Enforcement Agency) and the Department received the grant today.
2. She provided an update on the shooting that occurred in Silver Brook Gardens and stated that Lt. Greg Shelton has been working on this case and has identified a suspect.

Mayor Burg suggested that Chief Giles call a press conference to make the community aware that the Town is following through with issues that arise with in the Town.

3. She requested approval to move forward with hiring the 13th Officer for the Police Department in the amount of \$24,793.00 with the funding from the red light camera.

ACTION: A motion was made by Councilman Jaremchuk to authorize the funding of 13th Officer in the Police Department. The motion was seconded by Councilman Kacperski.

VOTE: 7-0 All-in-Favor Motion carried

Public Works

Town Manager John Giles presented the written report.

Town Manager

Town Manager John Giles presented his written report. In addition to the written report the he made the Mayor and Council aware of the following:

1. The agreement with HUD to be part of the NCC grant program was resigned.
2. There are a number of storm drains that are damaged throughout the Town. Town Manager John Giles would like to request approval to repair those drains with the money out of the Long Term Planning Infrastructure. The total cost would be \$20,585.00.

Councilwoman Personti stated that she and Councilman McKewen have a request to include the storm drain at the intersection of Beech Ave & Second Street.

ACTION: A motion was made by Councilwoman Frantz to replace the storm drains that Town Manager John Giles has listed as well as to include the Beech Ave & Second Street into the project in the amount not to exceed \$35,000.00. The motion was seconded by Mayor Burg.

VOTE: 7-0 All-in-Favor Motion carried

3. He stated that the Solar flashing light the Mayor had asked about would cost \$995.00.
4. He stated that the Comprehensive Plan update is not required until 2015, since the Town certified the 2010 update.

Mayor and Council stated that the Comprehensive plan will stay as is rather than amending it at this time in regards to annexation.

5. He stated that the Municipal Clerks Organization is requesting sponsorship for their regional conference in January. He would like to take out a half page ad in their brochure which would highlight events within the Town of Elsmere. The cost would be \$300.00 for a half page ad.
6. He advised that as one of the co-permittees in the NPDES Permit the Town will share a part of the cost for the cleaning of the Christiana Water Shed. Initial projection anticipated that the costs associated with this would occur in 2028 however, it is now a real possibility that those costs could be occurring as early as 2016.

ITEMS SUBMITTED BY THE MAYOR AND COUNCIL:

District 1 – None

District 2 – None

District 3 – None

District 4 – None

District 5 – Councilwoman Personti stated she wanted to know if the Town could decorate outside around the Town as well as advertise local businesses for those who sponsored the decorations.

Town Manager John Giles stated that the Town is not allowed to put anything on the Delmarva Power Poles, except for the flags which are approved on 29 poles along Kirkwood Hwy.

District 6 – Councilwoman Norkavage asked if there was any success with the dumpster in Vilone Park.

Town Manager John Giles stated that the Town has been in contact with Waste Management and it has been handled.

Mayor – Mayor Burg stated that there was supposed to be an executive session but that issue has since been resolved. He stated that if he receives calls within any Council Person's District he will make sure the correct Council Person is notified. He also stated that he received the Deed to Vilone Park and Mr. Robert J. Forman and Mrs. Mildred Forman are both deceased.

PUBLIC COMMENT:

Mr. Edward Zielinski, 1334 Maple Ave, stated he disagrees with the decision of Mayor and Council to allow the Town to go outside the bid process and to award Paoli Services the contract for the salt structure which was approved earlier in the meeting.

ADJOURNMENT:

ACTION: A motion was made by Councilwoman Norkavage to adjourn. The motion was seconded by Councilwoman Personti.

VOTE: 7-0 All-in-Favor Motion carried

These minutes summarize the agenda and other issues discussed at this Council Meeting. Votes are recorded accurately. The audio recordings of this meeting will be available at Town Hall for a period of two years from the date these minutes are approved. The audio recordings may be reviewed at Town Hall by appointment and in accordance with the Freedom of Information Act.

STEVEN E. BURG
MAYOR

JOANN I. PERSONTI
SECRETARY